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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,786	08/31/2001	Michel Shane Simpson	1363-007	1045
7590	09/10/2007		EXAMINER	
Michael T Sanderson Esq King & Schickli PLLC 247 North Broadway Lexington, KY 40507			LY, ANH	
		ART UNIT	PAPER NUMBER	
		2162		
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		09/10/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/943,786	SIMPSON ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Anh Ly	2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 06 February 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 1-20 is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 21-41 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 31 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### **Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ .  | 6) <input type="checkbox"/> Other: _____ .                        |

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### **DETAILED ACTION**

1. This Office Action is response to Applicants' Appeal Brief filed on 02/06/2007.

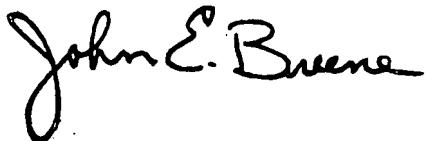
### **Reopening of Prosecution after Appeal Brief**

2. In view of the Appeal Brief filed on 02/06/2007, PROSECUTION IS HEREBY REOPENED. A new ground rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

3. A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:



JOHN BREENE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

4. Claims 1-20 were cancelled (dated 04/15/2005)
5. Claims 21-41 are pending in this Application.

***Claim Rejections - 35 USC § 101***

6. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

7. Claims 21-41 are rejected under 35 U.S.C. 101 because the bodies of claims 21, 28, 32 and 37 in view of MPEP 2106 (IV)(C)(2)((1) & (2) & (a) & (b) & (c)) sections are non statutory because they are **lacking of real world useful result**. They are missing the steps or processes producing any useful result to the invention, of having a utility to convey the final result achieved by the claimed invention, that is, they are not producing a result tied to the real/physical world or this application is not a practical application.

That is, these claims are missing "**utility requirement**" of 35 U.S.C. 101 (the utility of an invention has to be (i) specific, (ii) substantial and (iii) credible (MPEP 2107.01), these claims must show that the claimed invention is "useful" for some purpose either explicitly or implicitly. **That is, these independent claims do not have a readily apparent well-established utility and particular benefit to the public or to the user(s).** (Fisher, 421, F.3d 1356, 76 USPQ2d at 1230 and 1225 (Fed. Cir. 2005). Thus, requiring the applicant to distinguish the claim from the three 35 U.S.C. 101 judicial exceptions (Laws of Nature, Natural Phenomena and Abstract Ideas) (MPEP 2106 IV C) to patentable subject matter by specifically reciting in the claim the practical application. A claim that can be read so broadly as to include statutory and nonstatutory subject matter must be amended to limit the claim to a practical application. In other words, if the specification discloses a practical application of a section 101 judicial exceptions, but the claim is broader than the disclosure such that it does not require a

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practical application, then the claim must be rejected. That is, it require that the claim must recite more than 101 judicial exception, in that the process claim must set forth a practical application of that judicial exception to produce a real-world result (Benson, 409 U.S. at 71-72, 175 USPQ at 676-77) and the process must have a result that can be substantially produce the same result again and must achieve the required status of having real world value or to be realized as "useful result". (In re Swartz, 232 F3d 862, 864, 56 USPQ2d 1703, 1704 (Fed. Cir. 2000)).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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10. Claims 21-25, 26-29 and 31-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,758,343 issued to Vigil et al. (hereinafter Vigil) in view of 2002/0032775 A1 of Venkataramaiah et al. (hereinafter VENKA) (non-provisional of provisional application No.: 60/228,597, filed on Aug. 28, 2000).

With respect to claim 21, Vigil teaches a computer system (fig. 1) comprising: a directory shell able to reference two or more disparate directory (fig. 1, item 106, DISH (directory shell) providing a user interface which facilities setup and management of directory services using multiple directory service agents: figs. 2 and 13; col. 4, lines 42-62, col. 5, lines 45-58 and col. 6, lines 15-20), each having a directory class, the directory class in one of the directories being dissimilar in directory objects and data from the directory class in another of the directories (fig. 2 and 13, different name of attribute, dissimilar with each another; also see col. 1, lines 40-53); and

an administrator utility with the directory shell configurable to associate the directory class in the one of the directories to the directory class in the another of the directories (figs. 3-12, administration utilities for setup and managing the multiple directory service agents: col. 6, lines 10-67, col. 7, lines 1-67 and col. 8, lines 1-8).

Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach a directory browser

with the directory shell whereby users can search the directory classes with a single query of the user-searchable category.

However, VENKA teaches a system allowing data processing among multiple physical locations using LDAP database effectively transforming multiple directory server (LDAP servers) or directory service agents into a logical database, from which a user send a request to search or query data in one or more databases (abstract, sections 0003, 007, 0024 and 0029-0031 and fig. 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

With respect to claim 22, Vigil teaches wherein the two or more disparate directories are managed on a plurality of servers in communication with a computer onto which the directory shell is loaded (figs. 1 and 2 and col. 4, lines 22-67).

With respect to claim 23, Vigil teaches a computer system as discussed in the claim 21.

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Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach a directory interface operable to send the single query.

However, VENKA teaches a system allowing data processing among multiple physical locations using LDAP database effectively transforming multiple directory server (LDAP servers) or directory service agents into a logical database, from which a user send a request to search or query data in one or more databases (abstract, sections 0003, 007, 0024 and 0029-0031 and fig. 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

With respect to claim 24, Vigil teaches further including a director driver for each of the two or more disparate directories to allow the directory interface to communicate therewith (figs. 1 and 2, col. 6, lines 10-67).

With respect to claim 25, Vigil teaches wherein the user-searchable category includes a category attribute mapped to one or more class attributes of the directory class (figs 2 and 13; col. 5, lines 45-67 and col. 6, lines 1-8; also see col. 1, lines 40-67.abstract, fig. 3).

With respect to claim 27, Vigil teaches wherein the administrator utility further includes a table for associating the directory class in the one of the directories to the directory class in the another of directories (figs. 1-13).

With respect to claim 28, Vigil teaches a method of searching in a computer system (see fig.1 and abstract), comprising:

providing a directory shell with an administrator utility and a directory browser for loading onto a computer; and enabling the administrator utility to associate directory classes into a single user-searchable category (figs. 1-12; and fig. 1, item 106, DISH (directory shell) providing a user interface which facilitates setup and management of directory services using multiple directory service agents: figs. 2 and 13; col. 4, lines 42-62, col. 5, lines 45-58 and col. 6, lines 15-20; fig. 2 and 13, different name of attribute, dissimilar with each another; also see col. 1, lines 40-53; and figs. 3-12, administration utilities for setup and managing the multiple directory service agents: col. 6, lines 10-67, col. 7, lines 1-67 and col. 8, lines 1-8).

Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach a directory browser

with the directory shell whereby users can search the directory classes with a single query of the user-searchable category.

However, VENKA teaches a system allowing data processing among multiple physical locations using LDAP database effectively transforming multiple directory server (LDAP servers) or directory service agents into a logical database, from which a user send a request to search or query data in one or more databases (abstract, sections 0003, 007, 0024 and 0029-0031 and fig. 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

With respect to claim 29, Vigil teaches a method as discussed in the claim 28.

Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach mapping a category

attribute of the single user-searchable category to one or more class attributes of the directory class.

However, VENKA teaches a system allowing data processing among multiple physical locations using LDAP database effectively transforming multiple directory server (LDAP servers) or directory service agents into a logical database, from which a user send a request to search or query data in one or more databases (abstract, sections 0003, 007, 0024 and 0029-0031 and fig. 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

Claim 31 is essentially the same as claim 28 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 28 hereinabove.

With respect to claim 32, Vigil teaches a computer system (fig. 1), comprising: a directory shell for loading on a computer in communication with one or more servers having two or more disparate directories each with a directory class, the

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directory class in one of the directories being dissimilar in directory objects and data from the directory class in another of the directories, the directory shell having an administrator utility and a directory browser; a table in the administrator utility configurable to associate the directory class in the one of the directories to the directory class in the another of the directories, the result of associating the directory classes being a user-searchable category; and a panel in the directory browser where users can view search results (fig. 1, item 106, DISH (directory shell) providing a user interface which facilities setup and management of directory services using multiple directory service agents: figs. 2 and 13; col. 4, lines 42-62, col. 5, lines 45-58 and col. 6, lines 15-20; fig. 2 and 13, different name of attribute, dissimilar with each another; also see col. 1, lines 40-53; and figs. 3-12, administration utilities for setup and managing the multiple directory service agents: col. 6, lines 10-67, col. 7, lines 1-67 and col. 8, lines 1-8).

Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach a single query of the user-searchable category.

However, VENKA teaches a system allowing data processing among multiple physical locations using LDAP database effectively transforming multiple directory server (LDAP servers) or directory service agents into a logical database, from which a user send a request to search or query data in one or more databases (abstract, sections 0003, 007, 0024 and 0029-0031 and fig. 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

With respect to claim 33, Vigil teaches wherein the query portion and the panel are on a same page of the directory browser (fig. 2-12).

With respect to claim 34, Vigil teaches wherein the table includes one or more check boxes for the associating of the directory classes (figs. 2 and 13).

With respect to claim 35, Vigil teaches wherein the table includes an enable column to indicate directory classes associated with the user-searchable category (figs. 3-12).

With respect to claim 36, Vigil teaches a system as discussed in the claim 32.

Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach to be displayed in HTML format.

However, VENKA teaches using HTML, XML and DSML for LDAP and display the result (sections 0034-0035).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

With respect to claim 37, Vigil teaches a method of searching in a computer system (fig. 1) , comprising:

Vigil teaches directory interface shell for setup and managing multiple directory service agents having different name attribute and searching or querying or locating the object via the disparate directories under X.500 or LDAP compliant directories over the computer network as shown in fig. 1. Vigil does not explicitly teach a single query of user-searchable category.

However, VENKA teaches a system allowing data processing among multiple physical locations using LDAP database effectively transforming multiple directory server (LDAP servers) or directory service agents into a logical database, from which a

user send a request to search or query data in one or more databases (abstract, sections 0003, 007, 0024 and 0029-0031 and fig. 1).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Vigil with the teachings of VENKA. One having ordinary skill in the art would have found it motivated to utilize the use of an interface from which a user sends a request to query data in one or more database over the network as disclosed (VENKA's fig. 1 and sections 0030-0031), into the system of accessing data in one or more database locally or remotely from any point in the network, and which in turn may store, update, delete and /or query the data in one or more databases (VENKA's section 0003), thereby, enabling user to change data at any time over the distributed database network (VENKA's sections 0018-0019).

With respect to claim 38, Vigil teaches wherein the creating further includes associating, in an administrator utility, the directory class in the one of the directories to the directory class in the another of the directories (figs 2 and 13).

With respect to claim 39, Vigil teaches wherein creating further includes creating additional user-searchable categories for additional directory classes of the two or more directories (figs 3-12).

With respect to claim 40, Vigil teaches wherein the creating further includes providing a directory shell for loading on a computer in communication with one or more servers having the two or more disparate directories (figs 3-12).

Claim 41 is essentially the same as claim 37 except that it is directed to a computer readable medium rather than a method, and is rejected for the same reason as applied to the claim 37 hereinabove.

11. Claims 26 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 5,758,343 issued to Vigil et al. (hereinafter Vigil) in view of 2002/0032775 A1 of Venkataramaiah et al. (hereinafter VENKA) and further in view of Pub. No.: US 2006/0129652 A1 of Petrovskaya (provisional application No.: 60/156,809, filed on SEP. 29, 1999).

With respect to claim 26, Vigil in view of VENKA discloses a system as discussed in claim 21.

Vigil and VENKA disclose substantially the invention as claimed.

Vigil and VENKA do not teach users can view search results.

However, Petrovskaya teaches search results page displays the result of the search (section 0050; also see section 0088).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Vigil in view of VENKA with the teachings of Petrovskaya by incorporating the use of displaying the search result from a request of a user to search/query data at separate directories as disclosed (Petrovskaya's section 0050), into the system of Vigil for the purpose of managing or maintaining various data over network (Petrovskaya's section 0003).

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With respect to claim 30, Vigil in view of VENKA discloses a method as discussed in claim 28.

Vigil and VENKA disclose substantially the invention as claimed.

Vigil and VENKA do not teach users can view search results.

However, Petrovskaya teaches search results page displays the result of the search (section 0050; also see section 0088).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Vigil in view of VENKA with the teachings of Petrovskaya by incorporating the use of displaying the search result from a request of a user to search/query data at separate directories as disclosed (Petrovskaya's section 0050), into the system of Vigil for the purpose of managing or maintaining various data over network (Petrovskaya's section 0003).

### Contact Information

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Ly whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (**Written Authorization being given by Applicant (MPEP 502.03 [R-2]) or fax to (571) 273-4039 (Examiner's personal Fax No.)**). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on (571) 272-4107.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to:

**Central Fax Center: (571) 273-8300**

ANH LY  
APR. 20<sup>th</sup>, 2007

  
JOHN BREENE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100